

BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the CITY
OF LAS VEGAS, NEVADA,

Petitioner,

vs.

VETERANS OF FOREIGN WARS (VFW)
POST NO. 10057,

Respondent.

AFFIDAVIT OF SERVICE

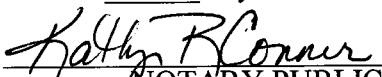
STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

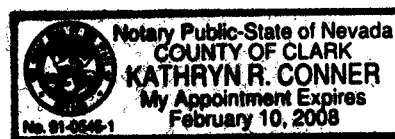
LEONARD D. WILSON, being first duly sworn, says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made. That on November 14, 2007, affiant received a letter notice of a hearing considering administrative action to be held December 5, 2007, before the Las Vegas City Council in relation to Respondent's Non-Profit Club General Alcoholic Beverage License No. L13-00013-4-000413 addressed to Claude A. Brown, Resident Agent, VFW POST NO. 10057, 1320 West Monroe Avenue, Las Vegas, NV 89106, and served the same on Claude A. Brown at 1320 West Monroe Avenue, Las Vegas, Clark County, Nevada, November 14, 2007.

DATED this 16th day of November, 2007.


LEONARD D. WILSON

SUBSCRIBED AND SWORN TO before
me this 16th day of November, 2007.


NOTARY PUBLIC



Submitted at City Council

Date 12/5/07 Item 44

CITY OF LAS VEGAS

William P. Henry
Senior Litigation Counsel

OFFICE OF THE CITY ATTORNEY



400 Stewart Avenue, 9th Floor
Las Vegas, Nevada 89101
(702) 229-6629
Fax: (702) 386-1749
E-mail: whenry@lasvegasnevada.gov

November 13, 2007

HAND DELIVER

Claude A. Brown, Resident Agent
VFW POST NO. 10057
1320 West Monroe Avenue
Las Vegas, NV 89106

**RE: Notice of City Council Meeting on December 5, 2007, at 9 a.m. to Consider
Taking Administrative Action Against the Non-Profit Club General
Alcoholic Beverage License No. L13-00013-4-000413 for VFW Post No.
10057**

Dear Mr. Brown:

Please be informed that on Wednesday, December 5, 2007, at 9 a.m., or as soon thereafter as the matter can be heard, the Las Vegas City Council, meeting in its Chambers at 400 Stewart Avenue, Las Vegas, Nevada, will consider whether or not to take administrative action against the Non-Profit Club General Alcoholic Beverage License No. L13-00013-4-000413 for VFW Post No. 10057. This will occur at a meeting open to the public and a VFW Post No. 10057 representative is entitled to attend the proceedings.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Henry", is written over the typed name.

WILLIAM P. HENRY
Senior Litigation Counsel

WPH:ck

BEFORE THE CITY COUNCIL
OF THE CITY OF LAS VEGAS, NEVADA

IN THE MATTER OF:

DEPARTMENT OF FINANCE AND
BUSINESS SERVICES on behalf of the CITY
OF LAS VEGAS, NEVADA,

Petitioner,

vs.

VETERANS OF FOREIGN WARS (VFW)
POST NO. 10057,

Respondent.

AFFIDAVIT OF SERVICE

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

LEONARD D. WILSON, being first duly sworn, says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, and not a party to or interested in the proceeding in which this affidavit is made. That on November 14, 2007, affiant received a letter notice of a hearing considering administrative action to be held December 5, 2007, before the Las Vegas City Council in relation to Respondent's Non-Profit Club General Alcoholic Beverage License No. L13-00013-4-000413 addressed to Albert Young, Manager, VFW POST NO. 10057, 1905 North H Street, Las Vegas, Nevada, 89106, and served the same on Albert Young at 1905 North H Street, Las Vegas, Clark County, Nevada, November 15, 2007.

DATED this 16th day of November, 2007.


LEONARD D. WILSON

SUBSCRIBED AND SWORN TO before
me this 16th day of November, 2007.


NOTARY PUBLIC



Submitted at City Council

Date 12/5/07 Item 44

CITY OF LAS VEGAS

William P. Henry
Senior Litigation Counsel

OFFICE OF THE CITY ATTORNEY



400 Stewart Avenue, 9th Floor
Las Vegas, Nevada 89101
(702) 229-6629
Fax: (702) 386-1749
E-mail: wherry@lasvegasnevada.gov

November 13, 2007

HAND DELIVER

Albert Young, Manager
VFW POST NO. 10057
1905 North H Street
Las Vegas, NV 89106

or

3333 Winterhaven Street
Las Vegas, NV 89108

**RE: Notice of City Council Meeting on December 5, 2007, at 9 a.m. to Consider
Taking Administrative Action Against Your Non-Profit Club General
Alcoholic Beverage License No. L13-00013-4-000413**

Dear Mr. Young:

Please be informed that on Wednesday, December 5, 2007, at 9 a.m., or as soon thereafter as the matter can be heard, the Las Vegas City Council, meeting in its Chambers at 400 Stewart Avenue, Las Vegas, Nevada, will consider whether or not to take administrative action against your Non-Profit Club General Alcoholic Beverage License No. L13-00013-4-000413. This will occur at a meeting open to the public and you are entitled to attend the proceedings.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Henry", is written over the typed name.

WILLIAM P. HENRY
Senior Litigation Counsel

WPH:ck

CITY OF LAS VEGAS

William P. Henry
Senior Litigation Counsel

OFFICE OF THE CITY ATTORNEY



400 Stewart Avenue, 9th Floor
Las Vegas, Nevada 89101
(702) 229-6629
Fax: (702) 386-1749
E-mail: whenry@lasvegasnevada.gov

November 13, 2007

Albert Young, Manager
VFW POST NO. 10057
3333 Winterhaven Street
Las Vegas, NV 89108

**RE: Notice of City Council Meeting on December 5, 2007, at 9 a.m. to Consider
Taking Administrative Action Against Your Non-Profit Club General
Alcoholic Beverage License No. L13-00013-4-000413**

Dear Mr. Young:

Please be informed that on Wednesday, December 5, 2007, at 9 a.m., or as soon thereafter as the matter can be heard, the Las Vegas City Council, meeting in its Chambers at 400 Stewart Avenue, Las Vegas, Nevada, will consider whether or not to take administrative action against your Non-Profit Club General Alcoholic Beverage License No. L13-00013-4-000413. This will occur at a meeting open to the public and you are entitled to attend the proceedings.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. P. Henry", is written over the typed name.

WILLIAM P. HENRY
Senior Litigation Counsel

WPH:ck
CERTIFIED MAIL NO. 7002 3150 0001 1716 4536

Submitted at City Council
Date 12/5/07 Item 44

7002 3150 0001 1716 4536

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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11/13/07

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Sent To

Albert Young, Manager
 VFW POST NO. 10057
 3333 Winterhaven Street
 Las Vegas, NV 89108

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to

Albert Young, Manager
 VFW POST NO. 10057
 3333 Winterhaven Street
 Las Vegas, NV 89108

2. Article Number

PS

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☒ Addressee

B. Received by: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☒ No
 If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

4536

102595-02-M-1540

1
2
3
4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA

6 * * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

10 Petitioner,

11 vs.

12 VETERANS OF FOREIGN WARS (VFW)
13 POST NO. 10057,

14 Respondent.

**COMPLAINT FOR
DISCIPLINARY ACTION**

15
16 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the
17 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for
18 Disciplinary Action against the VETERANS OF FOREIGN WARS (VFW) POST NO. 10057,
19 1905 North H Street, Las Vegas, Clark County, Nevada, Respondent, and states:

20 Respondent VETERANS OF FOREIGN WARS (VFW) POST NO. 10057 holds Non-
21 Profit Club General Alcoholic Beverage License No. L13-00013-4-000413.

22 **SUMMARY OF ALLEGATIONS**

23 VETERANS OF FOREIGN WARS (VFW) POST NO. 10057 has held a club liquor
24 license in the City of Las Vegas since 1968. This license permits sale and consumption of
25 alcohol to bonafide members of the club on the premises only. Records held by the Las Vegas
26 Metropolitan Police Department demonstrate that liquor has been sold and consumed by
27 nonmembers. Some of these nonmembers were underage. Since at least April 2005 Las
28 Vegas Metropolitan Police officers have witnessed on numerous occasions large numbers of

Submitted at City Council

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1 individuals congregating in the parking lot of VFW POST NO. 10057 drinking alcoholic
2 beverages. Las Vegas Metropolitan Police officers have attempted to work with officers of
3 VFW POST NO. 10057 as well as the Veterans of Foreign Wars State Command to no avail.
4 For example, in April 2004 the state adjutant informed the Las Vegas Metropolitan Police that
5 a guest register would always be maintained at VFW POST NO. 10057. Subsequently, Las
6 Vegas Metropolitan Police officers observing large numbers of people drinking at VFW POST
7 NO. 10057 found that either no sign-in log was being maintained, or the number of people
8 accounted for by the sign-in log was much less than the number of people observed drinking
9 alcohol. Employees have been observed working without a work card or an alcohol awareness
10 card. VFW POST NO. 10057 has operated as a public nuisance and its business has been
11 conducted in an unlawful, illegal, and impermissible manner. Consequently, VFW POST NO.
12 10057 has compelled a disproportionate usage of Las Vegas Metropolitan Police Department
13 resources, for example, between January 2005 and November 2007 there were 188 calls for
14 service.

15 REGULATORY POWERS DECLARED

16 LIQUOR CONTROL

17 The City Council declares that this Liquor Control
18 Chapter is an exercise of the regulatory powers delegated to the
19 City Council pursuant to the City Charter and NRS 268.090,
20 inter alia. **The regulations contained in this Chapter involve,**
21 **to the highest degree, the economic, social, physical and**
22 **moral well-being of the residents and taxpayers of the City.**
23 The sale or other disposition of alcoholic beverages is not a
24 matter of right but of **privilege**, which would otherwise be
25 unlawful if it were not exercised pursuant to a license. This
26 privilege may be denied, revoked, conditioned, suspended or
27 subjected to any other disciplinary action by the City in the
28 exercise of its police powers for the protection of the safety,
welfare, health, peace and morals of the residents and taxpayers
thereof. Businesses engaged in the sale or other disposition of
alcoholic beverages must therefore comply with LVMC Chapter
6.06. **Nothing in this Chapter shall be construed to confer any**
legitimate claim of entitlement to any benefit which might
otherwise devolve upon any licensee or any person approved for
suitability. [Emphasis added.]

27 LVMC § 6.50.010.

28

VFW POST NO. 10057 IS A PUBLIC NUISANCE

LVMC § 6.02.330(H) provides:

The licensee may be subject to disciplinary action by the City Council for good cause, which may, without limitation, include:

. . . .

(H) The actual business activity constitutes a **public or private nuisance**, or has been or is being conducted in an unlawful, illegal or impermissible manner. [Emphasis added.]

VFW POST NO. 10057 has held a club liquor license in the City of Las Vegas since 1968.

On April 5, 2005, Las Vegas Metropolitan Police Detective Mike Springer determined that VFW POST NO. 10057 was **staying open after hours** selling liquor to underage persons. Detective Springer reviewed Metropolitan Police Department files and determined that this had been going on for the past three to four years.

May 3, 2005, Detective Springer found 15 to 20 individuals in the parking lot drinking alcoholic beverages. May 6, 2005, Detective Springer found approximately 70 individuals inside the club. Canteen Manager Albert Young produced a **sign-in log** that evidenced only the first names or nicknames of thirteen individuals.

May 17, 2005, Metropolitan Police Detective Paul Cobb observed 15 to 20 individuals **loitering in the parking lot** drinking alcoholic beverages. He also smelled what he believed to be the strong odor of **Marijuana**.

May 19, 2005, Metropolitan Police Detective Mike Springer met with Canteen Manager Albert Young. He noted that Albert Young had **not been licensed as a key employee**, and Mr. Young promised to seek that license.

July 14, 2005, Metropolitan Police Detective Mike Springer observed people drinking alcoholic beverages in the parking lot. He found that **no sign-in log** was being maintained. He made contact with Mr. Whittle, who informed him that he was the weekend bar manager. Mr. Whittle was also **unlicensed as a key employee**.

. . . .

1 **August 2, 2005**, Las Vegas Metropolitan Police Sergeant Anthony Arnone and
2 Detective Mike Springer met with state gaming agent Dave Salas. They formed a consensus
3 that VFW POST NO. 10057 was a **major problem for the Bolden Area Command** of the
4 Las Vegas Metropolitan Police Department and a public nuisance.

5 **September 30, 2005**, VFW POST NO. 10057 **employees** Patricia Ann Roberson and
6 Mary Clark-Doubt were **cited** for no work card and no alcohol awareness card. Canteen
7 Manager Albert Young was cited for no alcohol awareness card.

8 **January 6, 2006**, VFW POST NO. 10057 **employee** Albert Young was **cited** for
9 failure to file for approval of suitability to act in the capacity of a key employee. Officers of
10 the Las Vegas Metropolitan Police Department and agents of the City's Business License
11 Enforcement staff observed approximately 150 to 200 patrons inside VFW POST NO. 10057
12 at the time the citation was issued. They also noticed beer bottles in the parking lot.

13 **February 8, 2007**, a **fight** occurred at VFW POST NO. 10057. Investigating officers
14 of the Las Vegas Metropolitan Police Department determined that the fight was between two
15 gangs, the Gerson Park Kingsmen (GPK) and the Berkeley Square Pyroo Blood. **Shots were**
16 **fired** by the Berkeley Square Pyroo Blood at the GPKs. The GPKs returned the gunfire.
17 Various **felony charges were lodged** against gang members as a result of this gunfight, and
18 the subsequent investigation. These charges included, without limitation, Trafficking in a
19 Controlled Substance (Cocaine), Possession of a Controlled Substance With Intent to Sell,
20 Attempt Murder With Use of a Deadly Weapon (three counts), Assault With a Deadly Weapon
21 (three counts), and Discharging a Firearm Into a Structure or Vehicle.

22 **March 2, 2007**, VFW POST NO. 10057 **employee** Rosaline "Elaine" Brown was
23 found by officers of the Las Vegas Metropolitan Police Department to be **working without a**
24 **health card**. Canteen Manager Albert Young was present, and supervising her. Subsequent
25 investigation revealed that the employee list was not current. Notices of violation were issued
26 to Albert Young and Rosaline "Elaine" Brown.

27 **April 30, 2007**, a City business licensing officer inspected VFW POST NO. 10057.
28 **He found two people drinking beer at the establishment who had not been served by the**

1 **on-duty employee**, Charles Howard. Howard was cited. Canteen Manager Alfred Young
2 was told to produce a current members list. **The list he produced contained 82 names, 18**
3 **short of the required 100 members.**

4 **May 1, 2007**, a City business licensing officer **cited** VFW POST NO. 10057 Canteen
5 **Manager** Albert Young for failure to provide a current membership list and failure to provide
6 an employee work card for Charles Howard.

7 **July 13, 2007**, Las Vegas Metropolitan Police Department officers **cited** VFW POST
8 NO. 10057 **employee** Patricia Roberson for no alcohol awareness card and failure to have an
9 employee list available upon request.

10 **July 19, 2007**, Las Vegas Metropolitan Police Department **investigated a fight** at
11 VFW POST NO. 10057 involving approximately **20 people**.

12 **July 30, 2007**, Las Vegas Metropolitan Police Department officers observed a subject
13 **selling Cocaine** to several people in the parking lot of VFW POST NO. 10057. Two
14 **semiautomatic handguns** were seized by the police during the course of the investigation.
15 The subject, Louis Montez Burns was charged in three felony counts with Trafficking in a
16 Controlled Substance, and two counts of Possession of a Controlled Substance With Intent to
17 Sell.

18 **September 2, 2007**, officers of the Las Vegas Metropolitan Police Department
19 investigated a **fight** at VFW POST NO. 10057 involving **nine subjects**. One subject was
20 found to be **under the influence of PCP** and was transported to the hospital.

21 **September 18, 2007**, officers of the Las Vegas Metropolitan Police Department
22 observed two subjects **selling Cocaine** to several people in the parking lot of VFW POST NO.
23 10057. Wayne Jerome Hope and Louis Montez Burns were arrested and charged with
24 Trafficking in a Controlled Substance, Possession of a Controlled Substance With Intent to
25 Sell, and Possession of a Controlled Substance.

26 **October 11, 2007**, officers of the Las Vegas Metropolitan Police Department
27 investigated a **fight** at VFW POST NO. 10057. A VFW Post security officer ejected the two
28 subjects engaged in fighting each other from the club, but did not remove them from the

1 property. **One subject**, while in the parking lot, **slashed the other in the abdomen** with a
2 box cutter.

3 **November 2, 2007**, City business licensing officers inspected VFW POST NO. 10057.
4 They determined that the retail tobacco and coin-operated machine **licenses** issued to VFW
5 POST NO. 10057 were **not posted**, and that on-duty employees of the Post did not have in
6 their possession alcohol awareness cards.

7 **November 7, 2007**, officers of the Las Vegas Metropolitan Police Department
8 investigated a **robbery** at VFW POST NO. 10057. The investigation revealed that two male
9 subjects entered the Post, and accosted another man. They asked him to step outside, and
10 when he did took him to the back of the VFW Post. There, they robbed him of jewelry,
11 several hundred dollars in cash, and his car keys. They then **compelled him to strip naked**
12 **and walk home**. No security was on duty at the Post when this happened. VFW POST NO.
13 10057 **on-duty bar manager Robert "Bobby" Whittle** was asked by officers why no
14 employee of the Post had called the police about the robbery. Robert Whittle stated, **"That**
15 **boy got what he deserved. I would've done him worse if it were me."** He also told
16 officers, "If I call the cops it makes it look like I got problems here. I don't need everybody
17 coming down on me because of the stuff that goes on here. If it gets settled here, that's the
18 end of it." Canteen Manager Albert Young was not present.

19 Between January **2005** and November **2007** there were **188 calls for service** to the Las
20 Vegas Metropolitan Police Department specifically related to VFW POST NO. 10057. In
21 **2005** there were **73 calls for service**. In **2006** there were **66 calls for service**. Between
22 January and November **2007** there were **49 calls for service**. Twenty-four (24) of these calls
23 were officer initiated. The remaining 25 calls included requests for service to investigate
24 **fights, assaults, batteries, narcotic offenses, weapons-related assaults and batteries, and**
25 **robberies**.

26

27

28

SUBSTANTIVE LAW

LVMC § 6.02.330(H) provides:

The licensee may be subject to disciplinary action by the City Council for good cause, which may, without limitation, include:

. . . .

(H) The actual business activity constitutes a **public or private nuisance**, or has been or is being conducted in an unlawful, illegal or impermissible manner. [Emphasis added.]

LVMC § 6.50.150 provides:

A nonprofit club general license authorizes the sale of alcoholic beverages only for consumption on the premises and only to **bona fide members** of the club who pay dues to the club, and to their bona fide guests. [Emphasis added.]

LVMC § 6.50.020 provides:

“Nonprofit club” means any nonprofit corporation, association or organization which has been in continual existence for at least two years prior to applying for a license under this Chapter, and:

. . . .

(3) Has a membership of at least one hundred members who are twenty-one years of age or older and who pay dues to the nonprofit corporation, association, or organization

LVMC § 6.02.350 provides:

A licensee under this Chapter shall be subject to disciplinary action not only for acts or omissions done by such licensee but also for acts and omissions done by the principals, managers, agents, representatives, servants or employees of such licensee.

LVMC § 6.06.060 provides:

Each principal must be approved for suitability in order to be associated with a business subject to this Chapter.

LVMC § 6.06.170 provides:

A person may not act in a capacity where an approval of suitability is required unless he has been approved for suitability.

1 LVMC § 6.50.440 provides:

2 It is unlawful for any of the following to be employed in
3 the retail sales of alcoholic beverages for on or off premises
4 consumption without **having in his or her possession a valid
work card** for alcoholic beverages pursuant to LVMC Chapter
6.86:

5 (A) A manager;

6 (B) Any employee who pours or serves alcoholic
7 beverages for on premises consumption; or

8 (C) Any employee who accepts payment for the sale or
9 delivery of alcoholic beverages for off premises consumption.
[Emphasis added.]

10 LVMC § 6.50.570 provides:

11 The completion **card** or a copy thereof issued by the
12 instructor of an alcohol awareness training course or refresher
13 course to a person successfully completing the course **must be
available during the work shift** on the premises where the
14 person, as an employee, is serving, selling or distributing
alcoholic beverages for inspection by Metro, City or other
governmental personnel. [Emphasis added.]

15 LVMC § 6.02.270 provides:

16 It is unlawful for any person having a license under the
17 provisions of this Code and carrying on a business at a fixed
18 place of business to fail to prominently display this license in the
place of business for which it is issued.

19 **EVIDENCE**

20 LVMC § 6.88.090 provides:

21 (A) **The hearing need not be conducted according to
22 technical rules relating to evidence and witnesses.** Any
relevant evidence may be admitted.

23 (B) The respondent shall have the right to call and
24 examine witnesses on his own behalf, cross-examine opposing
witnesses, introduce exhibits and evidence relevant to the issues
25 of the case, and offer rebuttal evidence.

26 (C) The respondent may be called and examined by the
City.

27 (D) The Clerk shall have the power to issue subpoenas for
28 witnesses to appear to give testimony. [Emphasis added.]

PENALTY

LVMC § 6.02.360 provides:

Upon a showing of good cause and in the discretion of the City Council, disciplinary action against a holder may take the form of cancellation, **revocation**, refusal to renew, **suspension**, imposition of conditions or **restrictions** or civil **fine** in an amount not to exceed one thousand dollars for each day that the violation which forms the subject matter of the complaint that recommends such disciplinary action is demonstrated to have been in existence, or any combination of such actions, as the particular situation may require. The Council may also impose against the licensee the actual costs incurred, and a reasonable amount for attorney's fees, resulting from the imposition of disciplinary action. The disciplinary actions available in this Section shall be in addition to, and not exclusive of, any other civil or criminal remedy which otherwise might be available. [Emphasis added.]

ALLEGATION

It is alleged that since at least the year 2005 VETERANS OF FOREIGN WARS (VFW) POST NO. 10057 operated a business which constituted a public nuisance, and has been conducted in an unlawful, illegal and impermissible manner, to wit: selling alcohol to nonmembers and minors and permitting nonmembers and minors to consume alcohol on the premises, creating a lawless environment within which robberies, shootings, and batteries occurred, having key employees working without City sanction and employees working without work cards and alcohol awareness cards, repeatedly breaking commitments to the Las Vegas Metropolitan Police Department and the City of Las Vegas Business Licensing Division, all of which has required a disproportionate use of Las Vegas Metropolitan Police Department resources in violation of the Las Vegas Municipal Code.

WHEREFORE, the Petitioner respectfully requests the City Council to:

A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing at which the Respondent shall appear and show cause why the license that is the subject of this Complaint should not be suspended or revoked, or other disciplinary action taken; or

....

....

....

1 B. Grant such other and further relief as the Council deems appropriate.

2 DATED this 30th day of NOVEMBER, 2007.

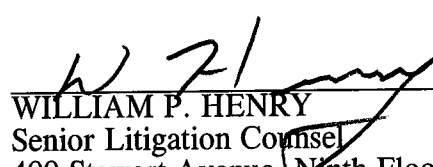
3 RESPECTFULLY SUBMITTED:

4 By:

5 
MARK R. VINCENT, Director
6 Finance and Business Services

7 BRADFORD R. JERBIC
8 City Attorney

9 By:

10 
WILLIAM P. HENRY
11 Senior Litigation Counsel
400 Stewart Avenue, Ninth Floor
12 Las Vegas, NV 89101
Attorneys for CITY OF LAS VEGAS
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